

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DWIGHT HOLLAND,) Case No.: 2:11-cv-01792-MAT
)
Plaintiff,) PLAINTIFF'S MOTION FOR LEAVE TO
) FILE FIRST AMENDED
v.) COMPLAINT
)
ER SOLUTIONS, INC.,) NOTED ON MOTION CALENDAR:
) JANUARY 31, 2011
Defendant)

Plaintiff Dwight Holland respectfully moves the Court for leave to file a First Amended Complaint in this matter, pursuant to F.R.Civ.P. 15. The proposed First Amended Complaint is submitted herewith.

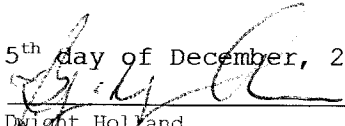
Rule 15 provides that leave to amend "shall be freely given when justice so requires." F.R.Civ.P. 15(a). According to the Supreme Court, "this mandate is to be heeded." *Foman V. Davis*, 371 U.S. 178, 182 (1962). "If the underlying facts or circumstances relied upon by a plaintiff may be a proper subject of relief, he ought to be afforded an opportunity to test his claim on the merits." *Id.*

Accordingly, the Ninth Circuit follows a "strong policy permitting amendment," *fuller v. Vines*, 36 F.3d 65,67 (9th Cir. 1994); and cautions that leave to amend should only be denied in extreme cases such as undue delay,

1 bad faith, or dilatory motive on the part of the movant. *Johnson v. Buckley*,
2 356 F.3d 1067 (9th Cir.2004).
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4 WHEREFORE, Plaintiff respectfully prays that the Court grant this
5 Motion for Leave To File First Amended Complaint.
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8 Dated this 5th day of December, 2011

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10 Dwight Holland
11 325 Washington avenue south
12 Kent, Washington 98032
13 Pro-se litigant
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